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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,603	07/03/2001	Toshihiko Kaku	Q65248	9625

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EXAMINER	
CARTER, AARON W	
ART UNIT	**PAPER NUMBER**
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/897,603	KAKU, TOSHIHIKO	
	Examiner	Art Unit	
	Aaron W Carter	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9,11-18,22-30,32,34-42,44 and 46-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☒ Claim(s) *8,10,19-21,31,33,43 and 45* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 9, 11-18, 22-30, 32, 34-42, 44 and 46-56 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,526,158 to Goldberg.

As to claim 1, Goldberg discloses an image collecting system for collecting an image having a target character therein, comprising:

A camera system that captures an image in which the target character is caught in a predetermined area (column 4, lines 6-11, column 12, lines 28-37 and column 14, lines 4-7 and 51-61, wherein person or patron corresponds to target character);

An image database that stores images captured by said camera system (column 13, lines 41-45);

A character information database that stores character information for identifying a person caught in an image as the target character (column 6, lines 31-42 and column 9, lines 7-14, wherein remote identification or identifiers corresponds to character information);

A character positioning unit for obtaining position information of the target character at a certain time (column 7, lines 41-58, column 13, lines 29-40 and column 14, lines 4-7 and 23-33, wherein date, time, name of ride, determining head locations, remote ID, and camera ID correspond to position information since they all identify the position or location of the patron when the image is taken); and

An image collecting unit that connects to said image database and said character information database to identify images stored in said image database with the target character therein based on the character information stored in said character information database and the position information of the target character obtained by said character positioning unit, and collect images in which the target character is caught from the images stored in said image database (column 7, lines 41-58, column 14, lines 4-16, column 15, lines 21-26 and column 15, lines 41-49).

As to claim 2, Goldberg discloses the image collecting system as claimed in claim 1, further comprising:

An image transmitter that connects to said camera system, said image database storing said images transmitted by said image transmitter (column 13, lines 41-45);

A position transmitter that transmits signals having said position information of the target character (column 7, lines 41-58, and column 14, lines 4-7 and 23-33); and

A receiver, located remote from said position transmitter, said receiver being operably connected to said character positioning unit (column 14, lines 17-33).

As to claim 3, Goldberg discloses the image collecting system as claimed in claim 1, further comprising:

An ID information holder to be carried by the target character, the ID information holder having ID information that uniquely identifies the target character (column 6, lines 31-42, wherein remote ID tag corresponds to ID information holder); and

An ID information reader for reading the ID information from said ID information holder (column 6, lines 31-42, wherein remote ID reader corresponds to ID information reader),

Wherein said character positioning unit obtains the position information of the target character based on the ID information read by said ID information reader (column 7, lines 41-58 and column 14, lines 4-7 and 23-33).

As to claim 4, Goldberg discloses the image collecting system as claimed in claim 1, wherein:

When the target character is among a plurality of persons that are caught in a plurality of images (column 7, lines 47-58, column 13, lines 29-40, column 14, lines 51-54 and column 16, lines 16-28, wherein a target character or specific patron maybe one of a plurality of patrons that are captured in a plurality of photographs either individually or with multiple patrons in a photo);

The position information of each person of the plurality of persons includes relative position information of said each person with respect to the plurality of persons (column 7, lines 47-58, column 13, lines 29-40, column 14, lines 51-54 and column 16, lines 16-28, wherein through the use of date, time, name of ride, the camera location ID's, remote ID tags, switches on

a car and identifying head locations in a wide view image patrons, position information with respect to other patrons can be determined), and

Each person of the plurality of persons, and one of said plurality of images and said target character from said plurality of persons is identified in all of said plurality of images (column 13, lines (column 14, lines 51-61 and column 16, lines 16-29),

Said image collecting unit identifies the rest of the plurality of persons in the rest of the plurality of images based on said relative position information of said each person (column 14, lines 51-61 and column 16, lines 16-29).

As to claim 5, Goldberg discloses the image collecting system as claimed in claim 1, wherein:

Said camera system includes a camera group having a plurality of cameras which capture a plurality of images in which a same person is caught from a plurality of different angles (column 14, lines 51-61, wherein a multiple cameras take multiple images of a patron, inherently at different angles) and

When a person in one of the plurality of images, which is caught by a camera included in said camera group, is identified as the target character (column 28, lines 43-48 and column 14, lines 51-61, wherein the remote id reader identifies the person as the target character),

Said image collecting unit identifies the same person in the rest of the plurality of images captured by the rest of the cameras included in said camera group as the target character, without accessing said character information database repeatedly (column 14, lines 51-61, remote id

reader combines the id signal with the image and sends them to storage without accessing the character info database repeatedly).

As to claim 6, Goldberg discloses the image collecting system as claimed in claim 1, wherein:

Said camera system includes a camera group having at least one camera which captures a plurality of images in which a same person is caught at sequentially different moments (column 14, lines 51-61, wherein a multiple cameras take multiple images of a patron, inherently at different angles),

When said same person is identified as the target character in one of the plurality of images caught by said at least one camera in said camera group (column 28, lines 43-48 and column 14, lines 51-61, wherein the remote id reader identifies the person as the target character),

Said image collecting unit identifies the same person in the rest of the plurality of images as the target character, without accessing said character information database repeatedly (column 14, lines 51-61, remote id reader combines the id signal with the image and sends them to storage without accessing the character info database repeatedly).

As to claim 7, Goldberg discloses the image collecting system as claimed in claim 1, wherein:

Said character positioning unit obtains the position information of the target character which includes information that the target character passes a first predetermined point at a certain

first time (column 7, lines 41-58, column 12, lines 53-61, column 13, lines 29-40 and column 14, lines 4-7 and 23-33, wherein date, time, name of ride, determining head locations, remote ID, and camera ID correspond to position information since they all identify the position or location of the patron when the image is taken, specifically when a car triggers a switch this indicates that a patron has just passed a first predetermined point at a certain first time), and

Said image collecting unit limits images to identify the target character to images that are captured in a moving range of the target character for a period of time based on said first time the target character passes said first predetermined point (column 7, lines 41-58 and column 12, lines 53-61, wherein when the patron passes a specific point as indicated by the switch the camera can take an image of the patron a certain time later based on them passes that point).

As to claim 9, Goldberg discloses the image collecting system as claimed in claim 7, wherein:

Said camera system includes a plurality of cameras operable to capture images in a predetermined route (column 14, lines 51-61),

Said character positioning unit obtains said position information including information that the target character passes said first predetermined point on said predetermined route at said first time (column 7, lines 41-58, column 12, lines 53-61, when a car triggers a switch this indicates that a patron has just passed a first predetermined point at a certain first time), and

Said image collecting unit limits said images to identify the target character to images that are captured in said moving range based on said time the target character passes said first predetermined point on said predetermined route (column 7, lines 41-58 and column 12, lines 53-

61, wherein when the patron passes a specific point as indicated by the switch the camera can take an image of the patron a certain time later based on them passes that point).

As to claim 11, Goldberg discloses the image collecting system as claimed in claim 1, further comprising:

A character speed obtaining unit that detects a speed of the target character, while moving through a predetermined route, at a certain moment at a predetermined point in said predetermined route (column 13, lines 6-15); and

A character position forecasting unit that forecasts a position of the target character after a predetermined time from said certain moment based on said speed of the target character going through said predetermined route and the position information of the target character at said moment the target character passes said predetermined point (column 7, lines 41-58 and column 12, lines 53-61, wherein when the patron passes a specific point as indicated by the switch the camera can take an image of the patron a certain time later based on them passes that point),

Wherein said camera system includes a plurality of cameras which capture images in said predetermined route (column 14, lines 51-61), and

Said image collecting unit limits images to identify the target character to images that are captured by a camera included in said plurality of cameras and provided at said position forecast by said character position forecasting unit (column 7, lines 41-58 and column 14, lines 51-61).

As to claims 12-18, please refer to the rejections made for claims 1-7 above, respectively.

As to claim 22, please refer to the rejections made for claim 11 above.

As to claims 23-26, please refer to the rejections made for claims 1-4 above, respectively.

As to claims 27 and 28, please refer to the rejections made for claim 5 above.

As to claim 29, please refer to the rejections made for claim 6 above.

As to claims 30 and 32, please refer to the rejections made for claim 7 above.

As to claim 34, please refer to the rejections made for claim 11 above.

As to claims 35-38, please refer to the rejections made for claims 1-4 above, respectively.

As to claims 39 and 40, please refer to the rejections made for claim 5 above.

As to claim 41, please refer to the rejections made for claim 6 above.

As to claims 42 and 44, please refer to the rejections made for claim 7 above.

As to claim 46, please refer to the rejections made for claim 11 above.

As to claim 47, please refer to the rejections made for claim 1, 4 and 5 above.

As to claim 48, please refer to the rejections made for claim 5 above.

As to claim 49, please refer to the rejections made for claim 6 above.

As to claim 50, please refer to the rejections made for claim 1, 4 and 5 above.

As to claim 51, please refer to the rejections made for claim 5 above.

As to claim 52, please refer to the rejections made for claim 6 above.

As to claim 53, please refer to the rejections made for claim 1 above.

As to claim 54, please refer to the rejections made for claim 1 above.

As to claim 55, please refer to the rejections made for claim 1 above.

As to claim 56, please refer to the rejections made for claim 1 above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 5,602,375 to Sunahara et al. discloses an image collecting and screening process in accordance with the invention.

USPN 5,554,984 to Shigenaga et al. discloses an image collecting and screening process in accordance with the invention.

USPN 5,381,155 to Gerber discloses an image collecting and screening process in accordance with the invention.

USPN 5,598,208 to McClintock discloses an image collecting and screening process in accordance with the invention.

USPN 5,655,053 to Renie discloses an image collecting and screening process in accordance with the invention.

USPN 6,396,537 to Squilla et al. discloses an image collecting and screening process in accordance with the invention.

USPN 5,577,179 to Blank discloses an image collecting and screening process in accordance with the invention.

USPN 6,567,121 to Kuno discloses an image collecting and screening process in accordance with the invention.

USPN 6,490,409 to Walker discloses an image collecting and screening process in accordance with the invention.

USPN 5,508,737 to Lang discloses an image collecting and screening process in accordance with the invention.

USPN 5,946,444 to Evans et al. discloses an image collecting and screening process in accordance with the invention.

USPN 6,513,015 to Ogasawara discloses an image collecting and screening process in accordance with the invention.

USPN 6,591,068 to Dietz discloses an image collecting and screening process in accordance with the invention.

USPN 6,698,943 to Gluck discloses an image collecting and screening process in accordance with the invention.

USPN 5,694,514 to Evans et al. discloses an image collecting and screening process in accordance with the invention.

USPN 5,872,887 to Walker discloses an image collecting and screening process in accordance with the invention.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron W Carter whose telephone number is (703) 306-4060. The examiner can normally be reached on 7am - 3:30 am (Mon. - Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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